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DATE: January 17, 2003

TIME: 12:30 PM

TOTAL PAGES: 11 (including cover sheet)

RE: US Application 10/010,084

COMMENTS: Enclosed is a response to the Office Action of December 17, 2002 for the above referenced case. Included are a restriction election, preliminary amendment, small entity statement and petition for extension of time. Note: This fax replaces the previous fax lacking the petition for extension of time.

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Docket No.: 2130US
Application No.: 10/010,084
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Practitioner's Docket No. 2130US**PATENT**

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Name: Laura L. Kiefer

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Adachi et al.

Application No.: 10/010,084

Filed: 06 December 2001

For: Methods for the Identification of Inhibitors of Histidinol-Phosphatase as Antibiotics

Group No.: 1651

Examiner: L.T. Guo

Assistant Commissioner for Patents
Washington, D.C. 20231

January 17, 2003

RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Dear Sir:

This is a restriction election and preliminary amendment in response to the Office Action dated 17 December 2002 requiring restriction of the claims. Included is a marked up version of the claims to show changes made.

I. AmendmentPlease amend the claims as follows:

8. A method for identifying a test compound as a candidate for an antibiotic, comprising:

- a) contacting L-histidinol phosphate and H₂O with a histidinol-phosphatase;
- b) contacting L-histidinol phosphate and H₂O with histidinol-phosphatase and a test compound; and

a'